IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 14850 of 1996

Between:

M.R.Krishna S/o.Gauraiah
R/o.Shankarampet Medak Dist

..... PETITIONER

AND

1 The A.P.State Road Transport Corporation, represented by its Managing Director Musheerabad, Hyderabad
2 The Regional Manager APSRTC, Medak Region, at Sangareddy
3 The Senior Manager (O) APSRTC, Medak Region, at Sangareddy
4 The Depot Manager APSRTC, Narayankhed Depot, Narayankhed

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an order, direction, or writ, particularly one in the nature of writ of mandamus, declaring that the order passed by the 2nd respondent in proceedings No.PA/675(39) RM SRD, Dt.30/01/1996 / 14-2-1996 in so far as denying the petitioner the past service, continuity of service and other attendant benefits as illegal, unjust contrary to law, contrary to the circulars issued by the 1st respondent corporation and in violation of the principles of natural justice and also violative of Art.14,16, & 21 of the Constitution of India and pass such other order.

Counsel for the Petitioner: MR.A.K.JAYAPRAKASH RAO

Counsel for the Respondents: MR.V.T.M.PRASAD

The Court made the following:

O R D E R

The petitioner, who is working as a conductor in the respondent-Corporation, filed this writ petition seeking a writ of Mandamus declaring the proceedings dated 30-01-1996/14-02-1996 issued by the second respondent as illegal.

The learned counsel for the petitioner contended that respondent-authority, instead of ordering fresh appointment, ought to have reinstated the petitioner all consequential benefits.

I have perused the impugned order of the second respondent.

The second respondent, on perusal of the relevant records, agreed with the findings recorded by the enquiry officer and the Depot Manager and took a lenient view of the matter and appointed the petitioner afresh as conductor Grade II. In view of the discretionary order, I do not find any reason warranting interference by this Court under Article 226 of the Constitution of India and the writ petition is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

(**B. PRAKASH RAO, J**)

Date: 23-11-2004

ghn

To

1 The Managing Director, A.P. State Road Transport Corporation, Musheerabad, Hyderabad

2 The Regional Manager APSRTC, Medak Region, at Sangareddy

3 The Senior Manager (O) APSRTC, Medak Region, at Sangareddy

4 The Depot Manager APSRTC, Narayankhed Depot, Narayankhed

5 Two CD copies.

whereunder the respondent accepted the review filed by the petitioner as against the order terminating the services

and consequently to direct the respondents case of the petitioner afresh for appointment.